

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

IN RE: ZOSTAVAX (ZOSTER VACCINE LIVE)
PRODUCTS LIABILITY LITIGATION

MDL No. 2848

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO -33)

On August 2, 2018, the Panel transferred 50 civil action(s) to the United States District Court for the Eastern District of Pennsylvania for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 330 F.Supp.3d 1378 (J.P.M.L. 2018). Since that time, 443 additional action(s) have been transferred to the Eastern District of Pennsylvania. With the consent of that court, all such actions have been assigned to the Honorable Harvey Bartle, III.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Pennsylvania and assigned to Judge Bartle.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. § 1407 to the Eastern District of Pennsylvania for the reasons stated in the order of August 2, 2018, and, with the consent of that court, assigned to the Honorable Harvey Bartle, III.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Pennsylvania. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

May 30, 2019

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



John W. Nichols
Clerk of the Panel

A TRUE COPY CERTIFIED TO FROM THE RECORD

DATED: 5/30/19

ATTEST: Kristin Pepin
DEPUTY CLERK, UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

**IN RE: ZOSTAVAX (ZOSTER VACCINE LIVE)
PRODUCTS LIABILITY LITIGATION**

MDL No. 2848

SCHEDULE CTO-33 – TAG-ALONG ACTIONS

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
LOUISIANA EASTERN			
LAE	2	19-10519	Perrin v. Merck & Co., Inc. et al
LAE	2	19-10520	Niemic v. Merck & Co Inc et al
LAE	2	19-10521	Bonin v. Merck & Co., Inc., et al
LAE	2	19-10522	Cunningham v. Merck & Co Inc et al
LAE	2	19-10523	Barker v. Merck & Co Inc, et al
LOUISIANA WESTERN			
LAW	1	19-00641	Trevino v. Merck & Co Inc et al
LAW	1	19-00642	Cross v. Merck & Co Inc et al
LAW	2	19-00643	Holmes v. Merck & Co Inc et al
LAW	3	19-00644	Breland v. Merck & Co Inc et al
LAW	5	19-00640	Lemoine v. Merck & Co Inc et al

